

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

US BANK TRUST NA AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST,)	
)	
)	
)	
PLAINTIFF)	CIVIL No. 1:21-cv-00044-DBH
)	
v.)	
)	
JAMES D. BLAINE,)	
)	
DEFENDANT)	

PROCEDURAL ORDER

It appears that the Governor's Executive Order and the Maine Supreme Judicial Court's Procedural Orders no longer prohibit eviction or Forcible Entry and Detainer actions for mortgage foreclosures unless they are federally backed mortgages subject to a federal moratorium. Me. Exec. Order No. 5 FY 20/21 (July 30, 2020), <https://www.maine.gov/governor/mills/sites/maine.gov/governor.mills/files/inline-files/An%20Order%20Expanding%20Rent%20Supports%20and%20Continuing%20Housing%20Protections.pdf>; Me. Judicial Branch Pandemic Management Order No. PMO-SJC-6 (revised Feb. 17, 2021), <https://www.courts.maine.gov/covid19/pmo-sjc-6.pdf>.

It also appears that the President has extended a moratorium on federally backed mortgages through June 30, 2021. Fact Sheet: Biden Administration Announces Extension of COVID-19 Forbearance and Foreclosure Protections for Homeowners (Feb. 16, 2021), <https://www.whitehouse.gov/briefing->

room/statements-releases/2021/02/16/fact-sheet-biden-administration-announces-extension-of-covid-19-forgiveness-and-foreclosure-protections-for-homeowners/#:~:text=The%20actions%20announced%20today%20will,homeowners%20through%20June%2030%2C%202021%3B&text=Provide%20up%20to%20six%20months,or%20before%20June%2030%2C%202020.

Accordingly, the plaintiff mortgagee shall notify the Court by March 12, 2021, whether this action for foreclosure is subject to the federal moratorium. If it is subject, the Court will administratively close the case (as it does when a notice of bankruptcy is filed or when arbitration is ordered) since the case cannot proceed in court until the moratorium is lifted. That administrative closure will terminate all the pending motions in the case; it will be up to the plaintiff to move to reopen the case and renew any motions once that is permitted.

For cases that are not subject to the federal moratorium, there is no reason for further stays or delays, and the Court intends to pursue them in the ordinary course and set deadlines accordingly.

If counsel believes the Court is misinterpreting the Orders from the Governor, the Supreme Judicial Court, and the President, counsel shall explain their position by March 12, 2021.

SO ORDERED.

DATED THIS 1ST DAY OF MARCH, 2021

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE